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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/660,004	09/11/2003	Dana Pavel	042933/267066	5937
826	7590	12/15/2005	EXAMINER	
ALSTON & BIRD LLP BANK OF AMERICA PLAZA 101 SOUTH TRYON STREET, SUITE 4000 CHARLOTTE, NC 28280-4000			CHERRY, STEPHEN J	
			ART UNIT	PAPER NUMBER
			2863	

DATE MAILED: 12/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No.	Applicant(s)	
	10/660,004	PAVEL, DANA	
	Examiner	Art Unit	
	Stephen J. Cherry	2863	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11-2-2005 has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-16 and 18-25 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,510,381 to Grounds et al.

Claim 1 recites, as disclosed by Grounds:

1. A method of obtaining a terminal location comprising: defining at least one connection of the terminal ('381, fig. 1, "wireless connection"); monitoring the terminal for establishment of a defined connection, the defined connection being established by the terminal ('381, fig. 3, ref. 310); monitoring the terminal for termination of the defined connection after the defined connection is established such that termination of the defined connection triggers obtaining a location of the terminal ('381, fig. 3, 320), wherein the monitoring steps are performed at the terminal such that termination of the defined connection triggers the terminal to obtain the location of the terminal ('381, fig. 3, 320, 330, and col. 5, line 55).

Claim 2 recites, as disclosed by Grounds:

2. A method according to Claim 1, wherein defining at least one connection comprises defining at least one communication connection between the terminal and a predefined entity ('381, fig. 2, connection from 110 to 210).

Claim 3 recites, as disclosed by Grounds:

3. A method according to Claim 1, wherein defining at least one connection comprises defining at least one logical connection each of which includes a context specifying termination of the respective logical connection, and wherein monitoring the terminal for termination of a defined connection comprises monitoring the terminal for the context

specifying termination of the respective logical connection ('381, fig. 3, ref 310 and 320, and col. 5, line 55).

Claim 4 recites, as disclosed by Grounds:

4. A method according to Claim 3, wherein the context specifying termination of the respective logical connection can be determined based upon information indicative of the context, and wherein monitoring the terminal for termination of the defined connection comprises monitoring for the information indicative of the context ('381, fig. 3, ref 310, 320, FFLAG, and col. 5, line 55).

Claim 5 recites, as disclosed by Grounds:

5. A method according to Claim 1 further comprising: transforming the location of the terminal to thereby define the terminal in a predetermined manner, and thereafter presenting the location of the terminal in the predetermined manner ('381, fig. 2, position information defined by 10 for display at 250-254).

Claim 6 recites, as disclosed by Grounds:

6. A method according to Claim 1, wherein monitoring the terminal for establishment of a defined connection comprises monitoring the terminal for establishment of a defined connection such that establishment of the defined connection triggers obtaining a location of the terminal ('381, fig. 3, ref. 300 and 360).

Claim 7 recites, as disclosed by Grounds:

7. A system comprising: a terminal capable of establishing, and thereafter terminating, at least one defined connection, wherein the terminal is capable of being triggered to obtain a location of the terminal upon termination of a defined connection ('381, fig. 1 and fig. 3, ref 320); and a location provider capable of determining the location of the terminal upon termination of the defined connection, and thereafter providing the location to the terminal ('381, fig. 1, ref. 10).

Claim 8 recites, as disclosed by Grounds:

8. A system according to Claim 7, wherein the terminal is capable of establishing, and thereafter terminating, at least one defined communication connection between the terminal and a predefined entity ('381, fig. 1, ref. 5, and fig. 3, ref. 300 and 320).

Claim 9 recites, as disclosed by Grounds:

9. A system according to Claim 7, wherein the terminal is capable of establishing, and thereafter terminating, at least one defined logical connection each of which includes a context specifying termination of the respective logical connection, and wherein the terminal is capable of monitoring the terminal for termination of the defined connection by monitoring the terminal for the context specifying termination of the respective logical connection ('381, fig. 3, ref 310, 320, FFLAG, and col. 5, line 55).

Claim 10 recites, as disclosed by Grounds:

10. A system according to Claim 9, wherein the terminal can determine the context specifying termination of the respective logical connection based upon information indicative of the context, and wherein the terminal is capable of monitoring the terminal for termination of the defined connection by monitoring for the information indicative of the context ('381, fig. 3, ref 310, 320, FFLAG, and col. 5, line 55).

Claim 11 recites, as disclosed by Grounds:

11. A system according to Claim 8 further comprising: a mapping processor capable of communicating with the location provider to transform the location of the terminal to thereby define the terminal in a predetermined manner such that the location of the terminal can be presented in the predetermined manner ('381, fig. 1, ref. 60).

Claim 12 recites, as disclosed by Grounds:

12. A system according to Claim 7, wherein the terminal is capable of being triggered to obtain a location of the terminal upon establishment of a defined connection ('381, fig. 3, ref. 310).

Claim 13 recites, as disclosed by Grounds:

13. A terminal comprising: a controller capable of establishing, and thereafter terminating, at least one defined connection, wherein the controller is capable of monitoring the terminal for establishment of a defined connection, and for subsequent termination of the defined connection, and wherein the controller is capable of being triggered to

obtain a location of the terminal upon termination of the defined connection (381, fig. 1, ref. 5, and fig. 3).

Claim 14 recites, as disclosed by Grounds:

14. A terminal according to Claim 13, wherein the controller is capable of establishing, and thereafter terminating, at least one defined communication connection between the terminal and a predefined entity ('381, fig. 3, ref. 310 and 320).

Claim 15 recites, as disclosed by Grounds:

15. A terminal according to Claim 13, wherein the controller is capable of establishing, and thereafter terminating, at least one defined logical connection each of which includes a context specifying termination of the respective logical connection, and wherein the controller is capable of monitoring the terminal for termination of the defined connection by monitoring the terminal for the context specifying termination of the respective logical connection ('381, fig. 3, ref 310, 320, FFLAG, and col. 5, line 55).

Claim 16 recites, as disclosed by Grounds:

16. A terminal according to Claim 15, wherein the controller can determine the context specifying termination of the respective logical connection based upon information indicative of the context, and wherein the controller is capable of monitoring the terminal for termination of the

defined connection by monitoring for the information indicative of the context ('381, fig. 3, ref 310, 320, FFLAG, and col. 5, line 55).

Claim 18 recites, as disclosed by Grounds:

18. A terminal according to Claim 13, wherein the controller is capable of being triggered to obtain a location of the terminal upon establishment of the defined connection ('381, fig. 3, 310).

Claim 19 recites, as disclosed by Grounds:

19. A computer program product for obtaining a terminal location, the computer program product comprising a computer-readable storage medium having computer-readable program code portions stored therein, the computer-readable program code portions comprising: a first executable portion for receiving at least one defined connection of the terminal ('381, fig. 3, "wireless connection"); a second executable portion for monitoring the terminal for establishment of a defined connection the defined connection being established by the terminal ('381, fig. 3, ref. 310); a third executable portion for monitoring the terminal for termination of the defined connection after the defined connection is established such that termination of the defined connection triggers obtaining a location of the terminal ('381, fig. 3, 320, 330, and col. 5, line 55).

Claim 20 recites, as disclosed by Grounds:

20. A computer program product according to Claim 19, wherein the first executable portion is adapted to receive at least one defined

communication connection between the terminal and a predefined entity ('381, fig. 1, 3 connected to 1-2).

Claim 21 recites, as disclosed by Grounds:

21. A computer program product according to Claim 19, wherein the first executable portion is adapted to receive at least one defined logical connection each of which includes a context specifying termination of the respective logical connection, and wherein the third executable portion is adapted to monitor the terminal for the context specifying termination of the respective logical connection ('381, fig. 3, ref 310, 320, FFLAG, and col. 5, line 55).

Claim 22 recites, as disclosed by Grounds:

22. A computer program product according to Claim 21, wherein the context specifying termination of the respective logical connection can be determined based upon information indicative of the context, and wherein the third executable portion is adapted to monitor for the information indicative of the context ('381, fig. 3, ref 310, 320, FFLAG, and col. 5, line 55).

Claim 23 recites, as disclosed by Grounds:

23. A computer program product according to Claim 19 further comprising: a fourth executable portion for transforming the location of the terminal to thereby define the terminal in a predetermined manner such that the

location of the terminal can thereafter be presented in the predetermined manner ('381, fig. 3, ref. 360).

Claim 24 recites, as disclosed by Grounds:

24. A computer program product according to Claim 19, wherein the second executable portion is adapted to monitor the terminal for establishment of a defined connection such that establishment of the defined connection triggers obtaining a location of the terminal ('381, fig. 3, 320).

Claim 25 recites, as disclosed by Grounds:

25. A method according to Claim 1, wherein the defining and monitoring steps include defining at least one short-range connection of the terminal, and monitoring the terminal for establishment and termination of the short-range connection, at least one short-range connection being selected from the group consisting of an infrared connection, a radio frequency identification connection and a Bluetooth connection ('381, fig. 5, Bluetooth).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,035,381 to Grounds in view of U.S. Patent 5,345,388 to Kashiwazaki.

The claim recites, as disclosed by Grounds.

a controller capable of establishing, and thereafter terminating, at least one defined connection, wherein the controller is capable of monitoring the terminal for establishment of a defined connection, and for subsequent termination of the defined connection, and wherein the controller is capable of being triggered to obtain a location of the terminal upon termination of the defined connection (381, fig. 1, ref. 5, and fig. 3).

Grounds does not explicitly disclose a display displaying location.

The claim further recites, as disclosed by Graham:

a display capable of presenting the location of the terminal in the predetermined manner ('388, col. 10, line 7).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the display of Kashiwazaki with the invention of Grounds to allow the user of a wireless phone to know their position to support driving of an automobile ('388, col. 1, line 6)

Response to Arguments

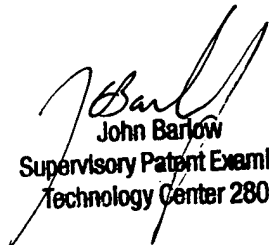
Applicant's arguments with respect to claims 1-25 have been considered but are moot in view of the new grounds of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen J. Cherry whose telephone number is (571) 272-2272. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on (571) 272-2269. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SJC


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